

### **REMARKS**

This Amendment is fully responsive to the final Office Action dated June 26, 2008, issued in connection with the above-identified application. Claims 66-85 were previously pending in the present application. With this Amendment, claims 66-75, 78, 79 and 82-85 have been amended; and claim 86 has been added. Thus, claims 66-86 are now pending in the present application. No new matter has been introduced by the amendments made to the claims or by the new claim added. Favorable reconsideration is respectfully requested.

In the Office Action, claims 66-69, 72-74, 76, 77, 79, 80 and 83-85 have been rejected under 35 U.S.C. 102(e) as being anticipated by Arisaka et al. (U.S. Publication No. 2002/0165987, hereafter "Arisaka"). The Applicants have amended independent claims 66, 67, 79, 84 and 85 to help further distinguish the present invention over the cited prior art. For example, claim 66 (as amended) recites the following features:

    "[a]n information presentation system comprising:

        a playback device;

        a management device; and

        a terminal device, wherein

        said terminal device is a different entity from said playback device,

        said playback device plays back a content, obtains (i) a content identifier that identifies the content having been played back by said playback device, and (ii) rental information that shows whether or not the content is a rental content, and transmits the content identifier and the rental information to the management device, and

        the management device including:

a storage unit operable to store a content identifier that identifies a content having been played back in a past by the playback device in association with rental information that shows whether or not the content is a rental content;

        a receiving unit operable to receive, from the playback device, (i) a new content identifier that identifies a new content having newly been played back by the playback device and (ii) new rental information that shows whether or not the new content is a rental content;

an update unit operable to

(i) perform an update on the stored rental information so as to show that the content is not the rental content when (a) the received new content identifier and the stored content identifier identify a same content, and (b) the stored rental information shows that the content is the rental content, and the received new rental information shows that the new content is not the rental content,

(ii) perform no update on the stored rental information regardless of whether or not the received new rental information shows that the new content is the rental content when (a) the received new content identifier and the stored content identifier identify the same content, and (b) the stored rental information shows that the content is not the rental content, and

(iii) store the new content identifier and the new rental information to the storage unit, when the received new content identifier and the stored content identifier identify different contents from each other;

a generation unit operable to generate presentation information using the stored content identifier and the stored rental information in response to a request from the terminal device; and  
an output unit operable to output the presentation information to the terminal device, and  
the terminal device makes the request to the management device to generate the presentation information, obtains the presentation information from said management device, and presents the presentation information.” (Emphasis added).

One or more of the features emphasized above in independent claim 66 are similarly recited in independent claim 67, 79, 84 and 85 (as well as new claims 86). Additionally, the features noted above are fully supported by the Applicants’ disclosure (see e.g., pg. 7, line 21-pg. 13, line 4; pg. 17, line 19-pg. 18, line 21; pg. 22; pg. 25, lines 5-13; and Fig. 10).

As amended, independent claims 66, 67, 79, 84 and 85(as well as new claim 86) emphasize the management of rental information that (i) indicates whether or not content that has been played back by a playback device is rental content, and (ii) provides a terminal device with presentation information including the rental information. Thus, a user can easily determine whether played back content has been purchased and owned by the user, or has only been rented in the past by the user.

The present invention (as recited in independent claims 67, 79, 84 and 85) addresses the

problems that arises when purchasing a DVD or the like, which are not addressed by the cited prior art. For example, a user may mistakenly purchase (again) a content that has already been purchased; or the user, on the other hand, may forget to purchase a content that has been rented but not been purchased.

Also, as amended, independent claims 67, 79, 84 and 85 now emphasize the following features of the present invention: (i) updating, when receiving a notification that the playback device has played back the same content which is not a rental content after recording (as rental information) or that the playback device has played back the rental content, the recorded rental information so as to show that the played back content is not the rental content, and (ii) not updating, on the other hand, the rental information even when receiving, from the playback device, a notification that the rental content has been played back after recording that the playback device had played back a content that is not a rental content.

Thus, when the user rents some content and then purchases the same content, the content (which is now not a rental content) is accurately reflected in the rental information. On the other hand, when the user purchases some content and then mistakenly rents the same content, a record that "a content has been purchased (the content is not a rental content)" will not be deleted.

In summary, with the present invention, it is possible to accurately manage the purchase of content even when (i) the user rents the same content plural times, (ii) the user purchases content after renting the same content or (iii) the user rents content after purchasing the same content. The user can avoid, by referring to the presentation information, mistakenly purchasing again or renting a content that has already been purchased, or forgetting to purchase a content which has only been rented but not been purchased. Additionally, since a management device distinguishes rental content from content which has been obtained, and manages the rental content and the content, the management device can provide a terminal device with appropriate presentation information.

In the Office Action, the Examiner relies on Arisaka for disclosing all the features recited in independent claims 66, 67, 79, 84 and 85. However, the Applicants maintain the Arisaka fails to disclose or suggest all the features recited in claims 66, 67, 79, 84 and 85, as amended.

Arisaka discloses continuously performing content (e.g. e-book) playback between

different terminals. Specifically, Arisaka discloses a playback data management device 210 that receives content identifiers, playback continuation information, and terminal types (terminals are set up with information indicating content types that can be displayed by the terminals or content types that users would like to play back) from a playback terminal device 220 via a communication line 240. The playback data management device 210 sends playback start information and converted content to the playback terminal device 220. (see e.g., ¶[0030]). The playback data management device generates playback start information, indicating whether playback of the digital content is to start at the beginning or at an intermediate point, and content is converted to suit the terminal type (see e.g., ¶[0034]).

However, Arisaka neither discloses nor suggests the features of the claimed storage unit that stores therein the rental information, and the update unit that controls update of the rental information. Therefore, it is not possible for the user to find out whether or not the content which has been played back in the past is a rental content using the system in Arisaka.

On the other hand, the present invention includes a storage unit and an update unit and, therefore, can achieve an excellent effect that when purchasing a DVD or the like, the user can avoid (i) mistakenly purchasing again a content that has already been purchased or (ii) forgetting to purchase a content which has been rented but not been purchased by referring to the presentation information including the rental information.

Based on the above discussion, independent claims 66, 67, 79, 84, 85 (as amended) and 86 are not anticipated or rendered obvious by Arisaka. Likewise, claims 68, 69, 72-74, 76, 77, 80 and 83 are not anticipated or rendered obvious by Arisaka at least by virtue of their respective dependency from independent claims 67 and 79.

In the Office Action, claims 70, 71, 75, 78, 81 and 82 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Arisaka in view of Milton (U.S. Publication No. 2002/0059120, hereafter "Milton").

Claims 70, 71, 75, 78 depend from independent claim 67; and claims 81 and 82 depend from independent claim 79. As noted above Arisaka fails to disclose or suggest all the features recited in independent claims 67 and 79. Additionally, after a detailed review of Milton, the reference fails to overcome the deficiencies noted above in Arisaka.

Specifically, Milton discloses a user device that allows the user to gain access to services and information available on the Internet. As described in Milton, access to such services may include, purchasing of a media content from a vendor, storing the purchased media content with a selected Media Access Provider and requesting receiving a media content stream from the Media Access Provider from a remote location (see e.g., ¶[0025]). The vendors are simply resellers of media content, e.g., online stores such as Amazon.com, Buy.com and the like. When a user purchases a media content from the vendor, a "virtual inventory receipt" is generated by the vendor that confirms the purchase of the selected media content and the like (see e.g., ¶[0027]).

However, Milton suffers for the same deficiencies noted above in Arisaka. That is, with the system disclosed in Milton, a user cannot find out whether or not the content that has been played back in the past is rental content.

Accordingly, no combination of Arisaka and Milton would result in, or otherwise render obvious, claims 70, 71, 75, 78, 81 and 82 at least by virtue of their respective dependencies from independent claims 67 and 79.

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the Office Action dated June 26, 2008 and pass this application issue.

The Examiner is invited to contact the undersign attorney by telephone to resolve any remaining issues.

Respectfully submitted,

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